AMENDMENTS TO THE CLAIMS

Claims 1–12 (Cancelled)

13. (Withdrawn) A server system for facilitating private instruction over a network between a teacher and a student, comprising:

an input system receiving student profile information from each student who registers for a private course;

a queue listing students registered for a private course who are unassigned to a teacher, the queue of students and the profile information of the students being accessible over the network by each client system that is operated by a teacher who is able to teach a private course; and

software executing on the server system in communication with a client system over the network, the software assigning a teacher who is able to teach a given private course to one of the students in the queue of students registered in that given private course based upon the profile information of that student.

14. (Withdrawn) The server system of claim 13, wherein the client system is operated by a given teacher who is able to teach the given private course, and wherein the software assigns the given teacher to a student in response to input from the client system indicating that the teacher selected that student.

15. (Withdrawn) The server system of claim 13, wherein the client system is operated by an administrator, and wherein the software assigns a teacher to a student in response to input from the client system indicating that the administrator matched that teacher to that student.

16. (Withdrawn) The server system of claim 13 wherein the network is the World Wide Web.

17. (Withdrawn) The server system of claim 13 wherein each student profile information identifies a preferred time of day and a preferred day of the week for conducting a discussion session with a teacher.

2

18. (Withdrawn) An article of manufacture having computer-readable program means embodied thereon for facilitating private instruction over a network between a teacher and a student, the article of manufacture comprising:

computer-readable program means for receiving student profile information from each student who registers for a private course;

computer-readable program means for adding each student who registers for a private course to a list of students who are unassigned to a teacher;

computer-readable program means for enabling access to the list of students and the profile information of the students over the network by each teacher who is able to teach a private course; and

computer-readable program means for assigning one of the teachers able to teach a given private course to one of the students in the list of students enrolled in that given private course based upon the profile information of that student.

19. (Withdrawn) The article of manufacture of claim 18, wherein the computer-readable program means for assigning one of the teachers to one of the students in the list of students assigns that one teacher to that one student in response to input from a client system operated by that one teacher indicating that that teacher selected that one student.

20. (Withdrawn) The article of manufacture of claim 18, wherein the computer-readable program means for assigning one of the teachers to one of the students in the list of students assigns that one teacher to that one student in response to input from a client system operated by an administrator indicating that the administrator matched that one teacher with that one student.

21. (New)   A method of facilitating private instruction over a network between a teacher and a student, the method comprising:

receiving profile information associated with a student from a first client system;

transmitting, by a server system, a placement test to the first client system via a network;

3

registering, by the server system, the student in a course based, at least in part, on responses to the placement test received from the first client system;

arranging at least some of the profile information associated with the registered student in a queue of the server system, the queue further including different profile information associated with at least one other student; and

removing the arranged profile information associated with the registered student from the queue in response to selection indicia received from a second client system, the selection indicia being associated with a teacher of the course, wherein the first and second client systems thereafter exchange at least some messages pertaining to the course independently of the server system.

22. (New)   The method of claim 21, wherein the first and second client systems are located in different time zones.

23. (New)   The method of claim 21, wherein the responses to the placement test are indicative of the student's proficiency in subject matter associated with the course.

24. (New)   The method of claim 21, wherein the second client system is operated by the teacher of the course.

25. (New)   The method of claim 21, wherein the second client system is operated by an administrator who matches the student with the teacher.

26. (New)   The method of claim 21, wherein the profile information of the registered student identifies a preferred time of day and a preferred day of the week for exchanging messages between the first and second client systems.

27. (New)   The method of claim 21, wherein the profile information arranged within the queue of the server system corresponds to students awaiting teacher assignments to the course.

28. (New)   The method of claim 21, wherein the messages exchanged between the first and second client systems correspond to at least one of electronic mail messages, voice messages, and text messages.

29. (New)   The method of claim 21, wherein the course is intended to teach a language that is not native to the student.

30. (New)   The method of claim 21, further comprising:

forming, by the server system, an electronic mail account for the student, wherein the electronic mail account is used to exchange messages between the first and second client systems.

31. (New)   The method of claim 30, further comprising:

transmitting, by the server system, information associated with the course to the first client system using the electronic mail account.

32. (New)   The method of claim 21, further comprising:

transmitting, by the server system, web page information associated with the course to the first client system.

RESPONSE

Claims 1, 3-20 were pending in this Application with claims 13-20 having been previously withdrawn from consideration. Upon entry of this paper, claims 1-12 are cancelled without prejudice, claims 13-20 remain withdrawn, and claims 21-32 are newly-added. Accordingly, claims 21-32 are presented for examination. No new matter is introduced upon entry of this paper in that support for the newly-added claims can be found throughout the specification, such as in paragraphs 10, 24, 37, and 49, as well as, in the figures and in the originally-filed claims.

Note that cancellations of claims 1-12 are not an acquiescence to any of the rejections in the Office Action of January 27, 2004 and are made solely to expedite prosecution of the Application and without any intention of abandoning the subject matter of the claims, such that claims with the same, lesser, or greater scope may be pursued in a later-filed application. Further and in view of the claim cancellations, the Applicants respectfully request that the rejections set forth in the Office Action be withdrawn as being moot and not applicable to newly-added claims 21-32.

Rejections Under 35 U.S.C. §112

Claim 3 was rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicants regard as the invention. This rejection is now moot, since claim 3 has been cancelled.

Rejections Under 35 U.S.C. §101

Claims 1, and 3-12 were rejected under 35 U.S.C. §101 as being directed to non-statutory subject matter. Although this rejection is now moot, since these claims have been cancelled, the Applicants respectfully submit that newly-added, independent claim 21 recites subject matter that fulfills the utility requirement of the statute at least because the claimed methodology effects a change in a server system's queue that facilitates instruction over a network between a teacher and a student. For at least the foregoing reason, independent claim 21, as well as, claims 22-32 depending therefrom, fulfill the utility requirement of the patent statute.

6

Rejections Under 35 U.S.C. §102(e)

Claims 1, 3, and 5-12 were rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,325,632 to Chao et al (hereinafter "Chao"). Although this rejection is now moot, since these claims have been cancelled, the Applicants respectfully submit that newly-added, independent claim 21 recites at least the following elements, which are not taught in Chao:

transmitting, by a server system, a placement test to the first client system via a network;

registering, by the server system, the student in a course based, at least in part, on responses to the placement test received from the first client system;

For at least the foregoing reason, independent claim 21, as well as, claims 22-32 depending therefrom, are patentable over Chao.

Rejections Under 35 U.S.C. §103

Claim 4 was rejected under 35 U.S.C. §103(a) as being unpatentable over Chao. Although this rejection is now moot, since this claim has been cancelled, the Applicants respectfully submit that newly-added, independent claim 21 recites at least the following elements, for which there is no teaching or suggestion in Chao:

transmitting, by a server system, a placement test to the first client system via a network;

registering, by the server system, the student in a course based, at least in part, on responses to the placement test received from the first client system;

For at least the foregoing reason, independent claim 21, as well as, claims 22-32 depending therefrom, are patentable over Chao.

CONCLUSION

Applicants consider the Response herein to be fully responsive to the referenced Office Action and respectfully submit that newly-added claims 21-32 recite statutory subject matter and are patentable over the cited reference. Applicants further submit that the Application, in its entirety, is in condition for allowance and early allowance is hereby requested. If there are any remaining issues or if the Examiner believes that a telephone conversation with Applicants' attorney would be helpful in expediting the prosecution of this application, the Examiner is invited to call the undersigned at 617-310-8424.

Respectfully submitted,

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8